

111TH CONGRESS  
1ST SESSION

# S. 1456

To fully compensate local educational agencies and local governments for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

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## IN THE SENATE OF THE UNITED STATES

JULY 14, 2009

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To fully compensate local educational agencies and local governments for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Land-In-Trust Schools  
5       and Local Governments Equitable Compensation Act”.

1 **SEC. 2. MANDATORY PAYMENTS FOR CERTAIN LANDS HELD**  
2 **IN TRUST.**

3 For each fiscal year that begins after the date of the  
4 enactment of this Act—

5 (1) the Secretary of the Interior shall pay each  
6 local educational agency and unit of local govern-  
7 ment such amounts as are necessary to ensure that  
8 such local educational agency and unit of general  
9 local government receives full payment for the  
10 amount of property tax revenues lost as a result of  
11 lands within their jurisdiction being held in trust by  
12 the United States for the benefit of a federally rec-  
13 ognized Indian tribe or an individual Indian, to be  
14 calculated so that the taxes (otherwise payable but  
15 for the status of the lands being held in trust) shall  
16 be assessed and paid annually at the same rate as  
17 the taxes would be assessed and paid if not in trust;  
18 and

19 (2) the Secretary of the Treasury shall transfer  
20 directly to the Secretary of Interior from the general  
21 fund of the Treasury, without further appropriation,  
22 such amounts as are necessary, after taking into ac-  
23 count amount appropriated for this purpose, to carry  
24 out paragraph (1).

1 **SEC. 3. PARTIAL PAYMENTS FOR CERTAIN LANDS HELD IN**  
2 **TRUST.**

3 Notwithstanding section 2, a local education agency  
4 or a unit of local government may enter into a written  
5 agreement with the Secretary of the Interior, the appro-  
6 priate State, and, if appropriate, any federally recognized  
7 Indian tribe or individual Indian, under which all parties  
8 agree that the amounts described in section 2 shall be—

9 (1) waived in whole or in part;

10 (2) limited for an agreed upon number of years;

11 or

12 (3) otherwise adjusted, including the timing of  
13 any payment or payments.

14 **SEC. 4. EFFECTIVE DATE.**

15 This Act shall apply to all lands taken into trust by  
16 the United States for the benefit of a federally recognized  
17 Indian tribe or an individual Indian on or after October  
18 1, 2008.

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